

# EXHIBIT D

## Joseph Farelli

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**From:** Rosenberg, Paul <prosenberg@bakerlaw.com>  
**Sent:** Monday, November 23, 2020 1:46 PM  
**To:** Joseph Farelli  
**Cc:** rlafferty@highgate.com; Bokerman, Amy  
**Subject:** Renwick Hotel; U20-291  
**Attachments:** Doc 11-20-2020 09-51-25.pdf; bedford closing.pdf

In furtherance to the correspondence below:

1. Mr. Lafferty has provided information responsive to item #1 from your request.
2. Mr. Lafferty has provided all correspondence responsive to item #2 from your request. Ownership maintains its objection that any documents or correspondence being offered for the purpose of showing there is a "possible" transfer of majority ownership or management control of the Hotel is irrelevant to the question of whether the Hotel currently owes Article 52 severance and/or Schedule B Maintenance of Benefits
3. As the emails which Mr. Lafferty has provided confirm, there are no request for proposals, contracts, agreements, or the like with DHS or any other third party. Without waiver of any objections, the attached pages from the ground lease provide that a homeless shelter is not a permitted use for the property.
4. Attached is the MOU discussed during the Hearing confirming the prior agreement between the hotel and union regarding Article 52 severance.

**From:** Rosenberg, Paul  
**Sent:** Friday, November 20, 2020 5:21 PM  
**To:** 'Joseph Farelli' <jfarelli@pittalaw.com>; Robert Lafferty <rlafferty@highgate.com>  
**Cc:** Bokerman, Amy <abokerman@nyhtc.org>  
**Subject:** RE: Renwick Hotel; U20-291

Impartial Chairperson Shriftman gave the parties one week (11/23) to exchange documents. It seems like Mr. Lafferty has graciously provided you with information responsive to both requests and then some.

I will let you know on or before Monday – the deadline Chairperson Shriftman set- whether owner has anything further to add.

Disagree regarding your statement on homeless shelter use.

**From:** Joseph Farelli <jfarelli@pittalaw.com>  
**Sent:** Friday, November 20, 2020 5:00 PM  
**To:** Robert Lafferty <rlafferty@highgate.com>; Rosenberg, Paul <prosenberg@bakerlaw.com>  
**Cc:** Bokerman, Amy <abokerman@nyhtc.org>  
**Subject:** RE: Renwick Hotel; U20-291

[External Email: Use caution when clicking on links or opening attachments.]

Dear Mr. Rosenberg:

While we have received some information responsiveness to the 2 requests for information the Union made at the last hearing in this matter, we have received nothing from the Owner or you as their attorney. Absent any information responsive to the same will cause the Union to request a conference call with Impartial Chairperson Shriftman to address the same. Any continued representation that the Owner has no plans to use the Hotel as a permanent homeless shelter is false.

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**From:** Joseph Farelli  
**Sent:** Wednesday, November 18, 2020 12:50 PM  
**To:** Robert Lafferty <rlafferty@highgate.com>; Rosenberg, Paul <prosenberg@bakerlaw.com>  
**Cc:** Bokerman, Amy <abokerman@nyhtc.org>  
**Subject:** Renwick Hotel; U20-291

Dear Mr. Lafferty and Mr. Rosenberg:

During the Nov. 16, 2020 arbitration hearing in the above-referenced matter, the Union requested for the record to be kept open so that the Union could receive and possible submit as evidence the following information:

1. Any and all daily PACE or PACER reports for the Hotel since September 1, 2020 which show actual and projected occupancy and room bookings for the period from September 1, 2020 through December 31, 2020.
2. Any and all documents, including but not limited to correspondence, e-mails, text messages, notes of conversations Request For Proposals, agreements, contracts. Relating to the use of the Hotel as a homeless shelter.

Please provide this information no later than November 20, 2020, as well as any privilege log in connection with the assertion of any privilege as a basis for failure to provide the above-requested information.

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**email:wcrand@wcrand.com**

Via mail and email and fax

November 23, 2020

Ms. Joslyn Carter  
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NYC Department of Homeless Services  
Office of the Commissioner  
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212-361-8000

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**Re: FALSE STATEMENTS THAT RENWICK HOTEL WILL BE USED FOR  
HOMELESS SHELTER  
CEASE AND DESIST AND RETRACTION LETTER**

Dear Sirs/Madams:


I represent the Owners of the Renwick Hotel and am writing to correct false statements that have been made regarding the use of the Renwick as a shelter for homeless families. See

attached Article dated November 17, 2020 by Nick Garber of Patch Media Corporation, entitled "Midtown's Renwick Hotel To Be Converted Into Homeless Shelter" (the "Article"). The Owners have leased the Renwick Hotel to a tenant under a 99 year lease and this lease requires that the hotel be operated as a first class hotel and does not permit use as a homeless shelter. Furthermore, the Owners have never agreed to allow the hotel to be used as a homeless shelter.

The Article reports that "representatives from the Department of Homeless Services" stated at a Community Board 6 Meeting that the Renwick Hotel would be operated as a homeless family shelter and planned to open on December 15, 2020.

The statement by these representatives is false and defamatory and is causing damage to the name and reputation of the Renwick Hotel. The Owners demand that you cease and desist from making any false statements about the Renwick being used as a homeless shelter and demand that you retract the false statements previously made. Please promptly provide proof of the retraction of these false statements.

Sincerely,

A handwritten signature in black ink, appearing to read "W C Rand", written in a cursive style.

William C. Rand, Esq.

Enc.

cc:

Tenant: Gregory Blake; [gblake@meadowpartners.com](mailto:gblake@meadowpartners.com)

Tenant Lender: D. Tyler Murnberg, Esq.: [Tyler.Nurnberg@arnoldporter.com](mailto:Tyler.Nurnberg@arnoldporter.com)